Pacific. de., de., de.

The U. S. M. steamship Crescent City, Capt. M'Gowan, arrived yesterday morning from Aspinwall, having left there on the evening of Tuesday, the 12th instant. The next day, when 150 miles from Aspinwall, she passed the steamer Falcon, from New Orleans for Aspinwall, and en the 14th, in lat. 14 24, long. 81 40, passed

the on the lath in lat. 14 28, long. Si av, passed beamer Pampero bound to San Juan, from New Orleans. We have received files of Panama papers to the 5th inst. A party of ladies and gentlemen, from South America, were robbed, during their journey across the 1sth mus, of rge amount of money and other valuables. The ves, however, were arrested very shortly after the commission of the robbery, and confined in the cala-score at Aspinwall. The Governor had arrived in town, and would proceed immediately to try the offenders. Died, on board the C. C. April 19, Peter C. Boger, of leorgia, aged 55 years, of dysentery; and on the 20th, of hagres fever, Jno. C. Kilton, of Massachusetts, aged 19

The passengers for California who went out in the reseent City, were forwarded in the P. M. S. S. Compa-ty's steamer Oregon, immediately after their arrival at

sama. The line of steamers between Aspinwall and Havana

The line of steamers between Aspinwall and Havana has been discontinued.

There had been brought, on March 31st, from Barbasonas to Colon, an Irishman by the name of John M. McHugo, who committed an atrocious murder with a chisel, killing a man by the name of Mr. Stevenson, superintendent of that station.

The steamship Unicorn left Panama for Callao and Australia, with freight and passengers, on the 6th inst.

The Panama Star, alluding to the scarcity of water in the city, recummends the boring of an Artesian well in Cathedral square, and adds—"Although the present wells in Panama are brackish, it must be borne in mind that there are none over thirty or forty feet in depth, and that if the Artesian principle were tried and a well bored about five hundred feet in depth, the probability is that sweet water might be procured in abundance. "The same journal has further evens from Colon, from which we take the following—"Within tifteen days past there have been commenced four different projects. It is probable the Emsenado, through which the railroad passes, will be completely filled up and raised to a level with the houses within three or four months. The street in front of the port is nearly concluded. The improvements above are in a fair way of sompletion, perhaps will be finished within four or six months, as the contractors are pushing the work, by an increased number of workmen, for the object.

The entire New York mail, over two hundred bags, was eccived in Panama within nine days after its leaving the laited States, and it was expected that it would be de-tvered in San Francisco within twenty two days from this

elty.

The Panama Echo mentions a new enterprise thus;

"We are informed that a company, at the head of whom is Capt. Lebe, an American gentleman, owning a large tract of mineral and agricultural land near Panama, propose making an immediate and thorough survey of their possessions, and after perfecting the necessary arrangements, intend to invite emigration from the United States upon terms more liberal than are generally awarded in such cases."

The Herald notices the arrival of A. C. Russell, Esq , at

The Harda notices the arrival of A. C. Russell, Esq., at the Isthmus, ch route from the States to California.

On Friday morning, the 2d inst., about ten o'clock, the first intelligence was received in Fanama of the arrival of the Illinois at Aspinwall, and a few minutes past two o'clock, Messrs, R. A. Joy & Co., had a portion of the bags delivered at the United States consulate.

The Pacific Mail Co's steamer Golden Gate had sailed at 12 o'clock on the night of the 3d inst. from Panama for San Francisco, with the mails from New York and New Orleans, and a large number of passengers.

The rain visited the city of Panama upon the 3d inst.

New Orkans, and a large number of passengers.

The rain visited the city of Panama upon the 3d inst., and during the afternoon several showers fell.

Senerita Asprilla, a young lady of about twenty years of age, was admitted into the sisterhood of nums at Panama, upon the 3d inst., with much religious pomp.

The Herald remarks:—We learn that this lady makes the fourth now in the numery; the other three are far advanced in years, and the probability is that ere long the Senorita Asprilla will be the sole remaing representative of the great body of nums who at one period occupied many extensive buildings in Panama.

The Herald, of the 4th instant, publishes the following thems from Bogota, furnished by its correspondent, under date of March 11th:—

Although the new President enters upon his duties on the 1st April, there is nothing known of the new ministry yet, as General Obando keeps a sepulchral silence on the matter. Some attribute it to his wisdom, others that he does not know whom to appoint.

What occupies the most attention, is the reform of the constitution which is now being discussed in the second debate in the Senate.

The cause of the actitation is that the present members.

The cause of the agitation is that the present members have shown a decided opposition to the reform in some important points, and think that General Obando will follow in the footsteps of General Lopez.

Tollow in the footsteps of General Lopez.

The Proposed of General Lopez.

The The Committee of General Lopez.

The General Lopez.

Th

We understand that a Captain Wright has obtained from the governments of Central America the privilege of running a line of steamers between the various ports in those republics and Panama edity. THE CONSULAR SYSTEM OF THE UNITED STATES AT

THE CONSULAR SYSTEM OF THE UNITED STATES AT PANAMA.

[From the Panama Herald of April 5.]

The three great faults in the system are the se:—

1. That the office of Consul is given as a reward for political services, with but little regard to the fitness of the individual for the post.

2. The consuls, instead of receiving a fixed salary from the government, are dependent only on their fees.

3. They are liable to be removed at every change of administration, at the very time that their services are becoming most useful to their country.

The article concludes thus: The appointment should be made independent of politics and change of office, and with regard only to the fitness of the office to the post.

The Hon. Captain Harris, British charge d'affaires to chill, was in Panama upon the 5th instant, and to leave on the British steamer for the south.

We learn from a notice issued by Sr. B. Calvo, the editor of the Corroo del Istmo, that he intends to discontinue the publication of that journal, having made arrangements to edit the Spanish portion of the Duily Star.

57ATISTICS OF SHIPPING, PASSENGERS, AND SPECIE,

STATISTICS OF SHIPPING, PASSENGERS, AND SPECIE,

Fratistics of Shipping, Passengers, and Specie,

AT Panama.

[From the Panama Herald.]

During the past month six American steamers have entered the port of Panama, viz.: Five from California, with 1,325 passengers, and 57,335,000 in gold dust and specie, and one (the John L. Stephens) from New York.

Two British steamers from the South arrived, with 39 passengers and \$627,000, principally silver, in bars and dollars. Of sailing vessels arrived, there were British 3, American 1, French 1, Peru 2, Ecuador 2, Costa Rica 1, New Granada 9—Total 19.

The departures during the same period were, five American steamers to San Francisco, with 1,936 passengers, and two British steamers for the south, with 48 passengers, of sailing vessels cleared, there were British 5, American 2, French 1, Mexican 1, Peruvian 2, New Granadian 6—Total 17.

Besides these, the United States above the second of the sailor of the south of the sailor of the sai

2. French 1, Total 17. these, the United States sloop of war Porta-tred and sailed, and the Ecuadorian transport

mouth arrived and sailed, and the Ecuadorian transport Dies de Mayo.

The following is the amount of specie imported for transit across the Isthmus of Panama, during the months of January, February and March, 1853:—

Of JE	JANUARY.		
From	Peru and Chili. \$535,525 Acapulco. 800,0.0 California 3,489,050		
From	Peru and Chili	84,824,575	
	California	\$3,240,000	
Frem	Peru and Chili	\$8.363.000	

Total \$16,427,575 

5,551 THE MESSAGE OF GENERAL LOPEZ TO THE CONGRESS

the Minuter of this country has been withdrawn from Rome, and is now employed at the Courts of France and Ergand. The number of foreign consuls for the republic has been increased abroad.

The grographical survey, under Coionel Codazzi, progresses favorably, and it is probable that next year the exploration of the provinces on the Pacific will be commenced and the publication of the work, so far as it is completed, is earnestly recommended, so as to enable foreigners to obtain correct information relative to the resources of the country.

menced and the publication of the work, so far as it is completed, is earnestly recommended, so as to enable foreigners to obtain correct information relative to the resources of the country.

The financial state of the nation next engages the President's attention. The public debt amounts to the enormous sum of \$377,000,000 reals, or \$47,125,000 currency, whilst 28,000,000 reals (\$3,500,000) are required for the expenses of the incoming year, and 10,000,000 reals (\$1,250,000) to complete that of the current year, which, with \$,000,000 reals (\$1,100,000) to pay the negotiated debts and the expenses of the army, makes a total defict of 18,000,000 reals, or \$2,250,000.

This important question has engaged the consideration of the President and his ministers, and he has examined it in every possible bearing to devise a method of meeting it without burthening the industry or resources of the country.

The only possible way be can propose for remedying this great evil is to give 2,000,000 fanegadas of the State lands (teirras baldias) to the creditors, which he conceives can be done without any loss to the country, as from the survey, before alluded to, it is proved that in the eleven provinces already surveyed (out of the hirty-dive that constitute the republic) there are 8,474,575 fanegadas of unreclaimed lands, (teirras baldias) and by converting the scrip (bonos) now held for the foreign debt into notes, (killetes.) representing the waste lands, the holders would either be obliged to colonize or cultivate the lands by native labor, to prevent a total loss to themselves. Thus, he adds, " whatever would be the course taken relative to the cultivation of the lands, it would produce an augmentation of the nation's riche; if it did not produce a large emigration, and, with it, incalculable advantages." The agent of the creditors, in Botoga, is said, by the President, to be favorable to this plan, and has obtained data to transmit to England to forward its consum mation.

The question of the internal revenue of the na

We have received advices from Valparaiso up to March 15. We present the most important news to our OUR VALPARAISO CORRESPONDENCE.

The Ericsson Excitement in the South-Steam Communication between Valparaiso and Panama—The English Trade, &c. VALPARAISO, March 15, 1853.

The excitement about the late improvement and inven-tion of Mr. Ericsson has extended to this coast, and now the question is asked, "When shall we have an American line of Ericsson steamers here?"

A gentleman from Santiago, the capital of this "young"

republic, called on me yesterday, and asked why I did not write home to my friends on the subject of a steam line between Valparaiso and Panama. He says: "Tell your friends in the States that an Ericsson line of steam. ers would take all the passengers and mails at once, and the freight will soon follow." And this, Mr. Editor, is from an old American resident, whose judgment is second to

I had proposed writing to my commercial correspondents on this subject, but thinking it information due to

ents on this subject, but thinking it information due to your commercial public, I have thought it best to address you.

Seventy-five tons of coal-will carry the steamer to Panama, and, allowing for all accidents, say one hundred tons, to be on the safe side.

I have this proposition to make:—A house here is willing to do the business of such a line of steamers free of all commissions, until such time as the line pays a not profit; and this is done to prove how much confidence they have in an opposition line of American stramers.

It is a notorious fact that the present line of English steamers, to say the very least, needs a healthy opposition to bring them to pay proper attention to the wants and comforts of the travelling public; and to prove this fact, I could give you English, American and Chilian authority on the whole intervening coast, as well as here and in Panama.

One of our late English steamers brought seven hundred passengers to this place; and since the Sydney fever has got on high, the travel seems to have increased.

You are aware, Mr. Editor, of the enormous charges made on the English line—say \$210 (two hundred and ten dollars) from Panama, besides having to pay their board on shore while the steamers are coaling and in port. If requires but little calculative powers to ascertain if this price pays for carrying passengers. But to freight.

port. It requires but little calculative powers to ascertain if this price pays for carrying passengers. But to freight.

Also of Federal Annual Annual Part of the Power than the English line, if not as low as the coasting vessels which have plenty of freight the year round. As an evidence of this, may be seen in our daily papers such advertisements as the following:

"Wanted to charter, a vessel to take cargo from Coquimbo to Fanama." ac., &c.
I believe Mr. Editor, that I need not give you more particulars about the advantages of such a line, save a word in relation to the U. S. mail.

The philanthropic and disinterested English line of steamers have offered, I understand, as a matter of accommodation, to take the U. S. mail on this coast for the sum of \$25,000 per annum. Now, sir, I leave it to your American feelings to say if it is not better for the United States to give \$100,000 to a Yankee line of steamers, and have each steamer so built as to be converted into a war steamer at a moment's notice, with officers who would know every inch of the coast from Panama to Chiloe.

would know every men of the cottine of non-intervention, I am an advocate for the doctrine of non-intervention, as propounded by Messrs. Cass, Everett, and a few other are read statesmen, and, therefore, advocate such a

I am an advocate for the doctrine of non-intervention, as propounded by Messra Cass. Everett, and a few other of our great statesmen, and, therefore, advocate such a line of steamers.

The difference between the republics of Ecuador, relative to the expedition of General Flores, has been arranged by the Ecuadorian Plenipotentiary. D. Pedro Monca; o, on the one part, and D. Jose Manuel Torado, Minister of Foreign Atlairs for Feru, on the other part. By the steamer of the 24th of March the articles were sent to the Ecuadorian government for ratification.

A correspondent from Arequipa, under date of March 17, says: "Frem Bolivia they write that Col. Lloyd, H. B. Majesy's charge d'alfaires, demanded his passports, in conequence of not having been able to receive from General Beizn, the President, any satisfaction for certain outrages committed on a British subject in Corocoro, and that the United States minister is thinking of doing the same. The consuls of Peru in Bolivia have received orders to leave the country within eight days, and it is feared that Sr. Prada, the minister, will not be received."

Friday, the 4th of March, appeared to be a general holiday throughout the city of Valparaiso and a large number of the commercial houses were closed. The day is called by the matives Encurracion del Hijo de Dios, and is very religiously observed by them as one of their principal fectors.

We learn from the Valparaiso Reporter of the 14th March, that the President was expected shortly in that city, on his way to Santiago.

Many decrees had been issued during the Presidential tour, but they principally referred to the foundation of new schools. Much is yet to be done, and we understand that it will be in the shape of bridges, roads, and canals, and also steam communication more frequent and more certain than of old.

Emigration on a large scale was much talked of; but in none of these matters can anything be done until after the meeting of Congress.

A free school for the education of artizans (at night) had been open

VAIPARAISO, March 14.—Francisco.

VAIPARAISO, March 14.—Francisco Vessels of all flags, especially first class English and continental, continue scarce; from \$20 to \$24 is asked for California, according to class of vessels or port of loading. The following rates are current for the United Kingdom for A I vessels:—£3 10s. for guano to London; £4 5s. for ores to Liverpool; £4 10s. and five per cent for ores to Swansea. But freights are on the advance, and higher rates have been offered since.

offered since.

BARLEY has been sold in quantities at 21 to 22 reals cash, put on board. The Black Prince, from San Francisco, brought a return cargo of port wine and China

cash, put on board. The Black Prince, from San Francisco, brought a return cargo of port wine and China goods.

Coal.—No foreign arrivals for this port, nor are francy transactions to note of that description. Two or three cargoes of Chilian coal have come in, but we hear of no sales as yet.

FLOUR.—Last sales at \$9 50; none of any consideration in the market; but the new crop is beginning to arrive, and as the yield of wheat has been very great, we may expect large quantities of flour in the course of a month or two. The carriage from the interior, and the high price asked by farmers for wheat, will, however, we think, prevent flour from falling very low.

Gen. Echenique was gaining great reputation by his prudent government at Lima; many excellent decrees relating to the affairs of distant provinces had been passed, which were entirely forgotten by his predecessors. The recent treaty entered into between Peru and Brazil, for the navigation of the river Amazon, would, it was anticipated, be productive of great benefits to the former country; and the government intend getting the consent of the Council of State to their spending \$100,000 in steamers, to navigate periodically the rivers Ucayali and Huayaga, and also another \$100,000 in encouraging and assisting emigration to those parts. His Excellency, Sr. Echenique, is said to have received from the Emperor of France through General Santa Cruz, the decoration of Grand Cross of the Legion of Honor. The President is also said to have received through the same hands the order of Leopoid of Belgium. The Comercio thinks it curious that the honor conferred by the Emperor of France should come through the hands of General Santa Cruz, when there is a Minister from Peru resident in Paris, and suspects the General to have some sinister object in view.

A Callao correspondent says, the shipping list is very full, there having been no less than seven arrivals in two days. Business had experienced no material change since our last advices, although freights were advancing. To the United States \$20 per ton was paid, and to Europe \$17.25.

The young men of Marbiehead have organized an asso-

The young men of Marblehead have organized an association to erect a monument to the memory of the Marblehead patriots who fell in the Revolution.

Mr. T. F. Meagher's Farewell Remarks in Mr. Wew Orceans.

At the close of Mr. Meagher's last lecture in New Orceans he made the following remarks, which we copy from the Delta of the 16th inst.

LADES AND GENTAMES:—The task of the evening has drawn to a close. Of the many defects which spoiled it I am deeply sensible; and that I have falled to give such ample information as you desired. I have good reason to apprehend. Execu ed, however, as it was, since my arrival in your city, during hurried intervals snatched from other occupations, you will kindly forgive any disapplications the incompleteness of the work may have occasioned.

other occupations, you will kindly forgive any disapplicationed.

Besides: it is difficult for one to discharge with due propriety and effect a task that is distasteful to him; and, if I mistake not, you are well aware that, from the moment of my landing on your hospitable and inviolable shores, I have preferred being silent where I could speak only with humiliation, sorrow, and remores—have preferred with tenderness concealing the wounds I could not heal—have preferred cherishing in loving secreey those recollections and hopes which, implanted as they were in the midst of thorns and ruins, seemed to me too sacred for public exposition.

Again, it is no less difficult for one to speak upon such a subject without exciting, to some extent, feelings it were better to subdue, and what is yet more streauously to be shunned, hurting those honest partialities which natures the most generous and trustful cherich in regard to those whom we curselves have most reason to renounce. Here, as else where, I have assidaously sought the avoidance of those questions, the discussion of which it were more than probable would eventuate in asperity and disorder. Hence I have felt myself irkso nely ham pered in dealing with the topics of which you have solicited from me a faithful elucidation.

With a delicacy which nowhere, I believe, in this republic attains a finer growth and cultivation than here among the sons and daughters of the South—where the coldest and most sterile heart would be nursed into genial life and truthfulness—you will give your sanction to these sentiments, and, in consideration of them, grant the acquittal for which I have thought at betitting to apply.

For the last time—the last time, surely—and so, with-

the acquittal for which I have thought at belitting to apply.

For the last time—the last time, surely—and so, without the pleasing doubt which rendered the words I spoke on a former evening less serious than they now must be—I leave this hall, and bid farewell to those kind friends with whose presence it has been graced and honored, and to me familiarized and rendered dear by the inages impressed upon my memory, and the tones of welcome and approval to which my heart will long continue, in grateful has-mony, to vibrate.

Through a fatal quarrel with a formidable government, backed by the parties I have referred to in my lecture, one could not be expected to light his way without in curring some losses, neither could he regain his free dom, at the distance of sixteen thousand miles of ocean, without staking and forfeiting a premium on the enterprise.

curring some losses, neither could he regain his free dom, at the distance of sixteen thousand miles of ocean, without staking and forfeiting a premium on the enterprise.

Hence these humble labors of mine; hence it is that the word, I was once prompt and proud to utter, without fee or recompense, in the cause of truth and freedomfor fatherland and conscience—must neggive for a season, be made the means of realizing an unsubsed competence. Should the desired success consummate the I boor I have unwillingly embraced, I shall not in a more affluent condition, be unmindful of those whose friendship dispelled most of what was repulsive in the labor, readering it to me, unconsciously, a work of pleasaure rather than of harsh necessity. In that home which you shall have assisted—come of you with fair, others with stout, but all with willing hards—to build up, and to which I hope to lead one who did not refuse to share with re the isola lation and ignominy of my exile in the Australian forest—in that heme, the name of Louisiana shall be a household word.

That I speak not with the in-incerity with which most farewells are spoken, the sentiments to which I gave utterance the first evening I addressed you will turnish sufficient evidence.

If I, following the currents of this heart that has felt the rude hand of adversity, but has not been galled—the hopes of which have been bruised, but not aprooted—if, following these currents, I have gone back many an evening, and wandered amongst the aromatic woods, the safforn flowers, and by the vocal waves of the lake, tremulously playing over white sands in the mountains of that island in the South Seass far off, and have offered up a prayer, that to a destiny in harmony with all that grace, and excellence, and grandeau, she might be soon conducted—if thus I have thought of, and prayed for, the land with whose solitary scenes of beauty the sadder recollections of my life, like cypress leaves with violets and vine clasters, are interwoven surely I shall not lose sight of that cli

Theatrical and Musical. Rowers Theatrical and Musical.

Rowers Theatric.—This evening being the last of Mr. Burke's engagement, it is presumed this popular theatre will be crowded to suffication. Shakapeare's musical play of the "Suppest," the "Spectre Bridegroom," and the amusing farce of the "Happy Man" are the pieces selected. Stevens, Burke, and other eminent actors, in the principal parts.

lee ed. Stevens, Burke, and other eminent actors, in the principal parts.

Broadway Theatrie — The great success of the tragely by Otway, called "Venice Preserved," induces the management to announce it again for this evening's amuselment—Mr. Forrest as Pierre, Mr. Conway as Jasher, and Madame Ponisi as Belvidere. The farce of the "Obstinate function of the performances and Madame Ponisi as Belvidere. The farce of the "Obstinate function of the performances and Madame Ponisi as Belvidere. The farce of the "Obstinate function of the performances and Mrs. The present of this evening are for the benefit of Mr. J. W. Wallack, Jr. The pieces selected are "Civilization," and the "Omnibus." In the first Mr. Wallack appears as Hercule, the Huron, and in the last Mr. Hamilton will sustain the character of Pat Rooney. Mrs. Holman will sing a favorite ballad.

National Theatre—The new piece called the "Armorer

Mrs. Bollman will sing a favorite ballad.

NATIONAL THEATRE.—The new piece called the "Armorer of Tyre" is drawing immense audiences to this theatre. It is put upon the stage in splendid style, and will likely have a successful run. It will be repeated this eveniog, Mr. Jones, Mr. Clarke, and other eminent comedians filling the leading parts.

WALLACK'S THEATRE.—Two beautiful pieces are an nounced for the performances this evening. The first interpretation of the programmer of the programmer of the programmer of the programmer. nounced for the performances this evening. The first is "She Stoops to Conquer," with Blake, Lester, Walcott, Reynolds, Rea, and Miss Laura Keene in the leading characters. This will be followed by "Pauline," with Lester and Miss L. Keene as the stars. There can be no doubt that the theatre will be crowded.

AMERICAN MUSEUM.—The entertainments announced for this afternoon and evening consist of the comedy of "Paul Pry," and the drama entitled the "Willow Copse."

ST. CHARLES THEATHE.—The performances announced for this evening consist of the "Momentous Question," which will be followed by the drama of "Eveleen Wilson," and all will terminate with the popular drama of "Jack Sheppard."

BOWERY CIRCUS.—The entertainments for this Sheppard."

Sheppard. The entertainments for this evening are excellent consisting of the best acts of horsemanship, vaulting, tumbling, &c., the receipts being for the benefit of the doorseepers. It is hoped they will be liberally patronized.

Christy's Opera House.—The receipts of this evening are for the benefit of Louis Mairs, the celebrated dancer. The programme selected is excellent. He deserves a bumper.

The programme selected is excellent. He deserves a bumper.

Woon's Minstreis.—This band is deservedly popular; the entertainments are first rate. The vocal and instrumental performances are greatly admired.

Banyand's Holy Land.—This beautiful painting, so much admired by all who have seen it, continues to be exhibited every evening.

ROBERT HELLEN'S exhibition of magic, second sight, spirit knockings, &c., continues to be as popular as ever.

OWEN'S ASCENT OF MOST BLANC should be witnessed by a lenty laugh; his illustrative paintings are beautiful, and his lecture is excellent.

BROSELYN MUSEUM.—Mr. J. A. Jackson receives a com-

tiful, and his lecture is excellent.

Brooklyn Museum.—Mr. J. A. Jackson receives a complimentary benefit this evening. The pieces selected are "The Stranger" and "Eton Boy." Mr. E. Eddy, Johnston, Miss Weston and other eminent artists will appear. It is hoped his friends will give him a bumper.

IMPORTANT TO POSTMASTERS.—A case was tried during the recent session of the U.S. Circuit Court in this city, which ought to be generally understood, both by the people and the officials who have charge of the various post offices throughout the country. The Postmaster at Sylvania, in Scriven country, was arrained and find fity dollars for delaying a letter in his office. The law makes it the imperative duty of every Postmaster to forward all mail matter deposited one half hour before the departure of the mail, unless longer time should be granted by the Postmaster-General on account of the business of the office. There are also several penalties for delaying papers, &c., after they have been mailed and are on their way to their places of destination. So stringent are the laws, that a rigid and prompt discharge of their official duties only can save the Postmasters from their penalties. The above is the list instance of a conviction that we have heard of, and we publish it for information, hoping that it may lead to increased carefulness on the part of all who have anything to do with the mail service.— Savannah Courier, April 19. IMPORTANT TO POSTMASTERS.—A case was tried

Thomas H. Benton.—Colonel Benton, says the Cineinnati Commercial of the 20th inst, arrived here on Monday morning, and left on the evening boat for Louisville, on his way to Missouri. We understand he freely communicated his energetic purpose and industrious perseverance for the accomplishment of the great national railroad from the Mississippi to the Pacific. During his absence, he expects to visit the head waters of the Kansas river; and on his return here in the month of May, he has promised to make public his views to our citizens.

VETERAN POSTMASTERS.—The Postmaster at York ville, S. C., has been in office for twenty-five years. He was appointed under the administration of John Quincy Adams. John McMaster, Eq., Postmaster at Winsboro, S. C., has been in actual service for the past thirty-three years. It will not be regarded much of a guess when we predict that he will hold his office to the end of life, the consequence of a spotless character and fidelity in the office which he has held. John L. Young, Esq., Postmaster at Yonguesville, has been Postmaster at that place for the past forty years; hence, we believe he is the senior Postmaster in South Carolina.

Obltunry. Oblinary.

Mr. John Addington, a Revolutionary pensioner, died at Nantucket last week, aged eighty-nine years.

Mr. Samuer Trownsidge, a prominent citizen of Albany, died on the 21st inst., aged seventy five years.

Professor Lewis C. Brox died in Albany on the 20th inst. In addition to the Professorship of Chemistry and Natural History in Rutgers' College, New Jersey, and of Chemistry in the Medical College in Albany, which he held at the time of his death, he was distinguished in various scientific enterprises of this State, among which were the preparation of a portion of the State Natural History, and the foundation of the Albany Institute.

About 140,000 dead letters are annually returned from our General Post Office to the Post Office Departments of Europe, with a view that they may again fall into the hands of the writers. The postages amount to about \$20,000 a year.

THE BROADWAY RAILROAD INJUNCTION CASE.

Opinion of Judge Strong.
SUPREME COURT—GENERAL TERM.

The following is the opinion of Judge Strong in the case of the application for an injunction against the grantees of the Broadway Railroad.:—

JOHN MILHAU AND OTHERS AGAINST JACOB SHAR Judge Strong said—The plaintiffs allege that the resolutions of the Common Council of the city of New York purporting to authorize the construction of a railroad in Broadway are void, and ask that the defendants may be restrained by an injunction from this Court from entering into or upon that street, for the purpose of laying or establishing a railroad thereon, and from digging up or subverting the soil, or doing any other act in such street tending to accument the same, or (to) obstruct the free and common use thereof as the same has been heretofore enjoyed." The objections which have been advanced against the resolutions are numerous, and have been discussed by the distinguished counsel for both parties with much zeal and great ability. I shall state the conclusions which I have adopted on such of the points missed as I deem material, and I intend to do but little more, as I have neither the time nor the inclination to elaborate an opinion. It has been contended that the Common Council has not the power to authorize the construction of any railroad and lays within the city, for the public use and service of the mayor, alderene, and commonalty of the said city, and of the inhabitants of Manhattan Island, and travellers there, and conforms a power to establish, appoint, order and direct the establishing, making, laying out, ordering, amending and repairing the same necessary, needful and convenient for the inhabitants and travellers and passengers." The only limitation or vestriction of this grant is contained in, and consists merely of, a provision for the protection of private rights, and the common Conneil, (page 238;) that "The charter powers, (relative to the streets,) have been so frequently and so fully confirmed, defined, enforced, and specially applied by legislative acts, that there seems to be no ward of jurisdiction from the one source or the other for every exigency." The Common Conneil has certainly a very liberal discretion as to amending thus a surface. As to private rights, and that which is a

ity have not been productive of any inconvenience. It has been supposed by many that a railroad in a city, or populous village, was necessarily a public nuisance, whether the cars on it were drawn by horses, or by locomotives propelled by steam. The Supreme Court of this State has frequently decided otherwise. In the case of Hentz against the Long Island Railroad Company, which was recently before me. I had occathe case of Hentz against the Long Island Railroad Company, which was recently before me, I had occasion to examine this question very fully, and came to the conclusion, not only that the authorities were too strong to be got over, but that they were right. There may be circumstances which would render a railway and the travel upon it very injurious, and possibly a nuisance, in some localities, but they do not exist in this case. From the statements contained in the report of the majority of the committee of the Common Council, which is an exceedingly well written document, I am satisfied that the proposed railroad would not be a nuisance, but would, on the contrary, be a great relief to Broadway. I have no doubt of the power of the Common Council to authorize its construction in a proper manner and upon proper terms. If my opinion on this point should need confirmation, it would have it from the circumstance that the principal opponents of the existing ordinance, who were proprietors of stores and dwelling-houses on Broadway, and men of much intelligence, who had the ability to, and no doubt did, obtain the best legal advice, themselves applied to the Common Council for a grant of a similar privilege, but upon terms more onerous, and which would have required from them an immediate and extensive appropriation of money.

The principal objections to the resolutions, and

extensive appropriation of money.

The principal objections to the resolutions, and those entitled to the most consideration, resulted from the circumstances attending their adoption from the circumstances attending their adoption and their terms.

It was contended, on the argument, that the adjournment of the Board of Aldermen from the fourth to the eighth day of November, being for more than three days, put an end to that monthly session of the Board, (at which the resolutions in question were adopted.) and that when the Board subsequently met, in pursuance of the adjournment, it was not a legal assembly, and could do no valid act. It is provided by the fourth section of the act of April 2, 1849, that "Neither Board shall adjourn for a longer period than three days, except by a resolution to be concurred in by the other body." The seventh of November last was Sunday, and, if that is to be counted, the adjournment of the Board of Aldermen from the fourth to the eighth of that month was for more than three days, and, being made without the concurrence of the Board of Assistants, was unauthorized. In the construction of a statutory provision relative to the time prescribed for any purpose Sunday is sometimes included and sometimes not. The inclusion or exclusion depends upon what is to be done within the prescribed period. If early and not continuous action is requisite Sunday is counted, as that will not interfere with the main design. Thus, the object in giving a notice of trial is to enable a party to send for his absent witnesses, who may be at a distance, or to subpean those who might otherwise leave their homes, at an early day, and not to furnish a period which might be requisite for constant exertion. So where there is a notice for a special motion, it may be necessary to procure affidavits from persons at a distance, or of persons about leaving home, and an early, rather than constant, exertion is e-sental. In such cases Sunday is cousidered as a part of the required time, because the object to be accomplished does not call for its exclusion. But the provision relative to adjournment which I have quoted has reference to days of action, and to those only. The design is, that the proc and their terms.

It was contended, on the argument, that the adsimilar language in reference to their own powers. Thinking, as I do, that the adjournment was fally authorized, it is not necessary to inquire whether, if it had been illegal, that would have nullided a sub-

sequent meeting of the same Board, or the after joint action of the two Boards of the Common Council. It was strenuously contended by the plaintars'

counsel that the grant to the defendants was void, because it was made in defiance of an injunction allowed by a Justice of the Superior Court of the city of New York, in a suit instituted by Thomas E. Davis and Cordinant Palmer against the Mayor, Aldermen, and Commonstity of that city. That Injunction certainly purported to prohibit the corporation from making the grant to the defendants. But the present defendants were not parties to that suit, nor is it averred in the complaint that the injunction affects the person rather than the right. If it affects the right at all, it is only indirectly, through the person. In the case of Fellows vs. fellows, (4 John., Ch. R. 25.) Chancellor Kent said.—'I have no conception that it is competent to this Court to hold a man bound by an injunction who is not a party in the cause for the purpose of the cause;' and he there dissolved an injunction which had been issued against persons who had not been made parties to the suit. Should a party disobey a lawful injunction, he could, of course, be punished for the contempt, and he could not directly gain anything by his disobedience. But it would not affect the rights of another party who might have dealt with him in reference to the subject matter of the controversy. If it would, innocent parties might suffer, notwithstanding all the precautions which the most prudent could take. As the present defendants were not parties to the suit in which the injunction was issued, the rights which they may have acquired in a subject matter common to both suits were not affected, unless, as the plaintiffs contend, the Common Council, in adopting the forbidden resolutions, were guilty of a criminal contempt, and no rights can be acquired through the perpetration of a crime. This position renders it necessary that I should consider the question, whether the members of the Common Council, in passing the resolutions in question, were guilty of any crime, and I regret exceedingly that it does so, as my examination of the subject has led me to co

ing it. If the Saperior Court had jurisdiction to prevent the action of the Common Council in this matter, the injunction had been lawfully issued, otherwise not.

By the first section of the act of April 7, 1830, relative to the city of New York, it was provided that the legislative power of the corporation should be vested in the two boards, who together should form the Common Council of the said city. This delegation of power is continued by the act of April 2, 1849. The Common Council is forbidden to perform any executive duty by the 9th section of the last mentioned act, but otherwise their legislative power is co-extensive with their corporate rights. It has been seen that under the Dongan and Montgomeric charters the corporation holds the streets, and has full power to make regulations for their improvement. The adoption of ordinances or resolutions for the improvement of the streets is nowhere declared to be an executive duty, but is the exercise of a power devolved upon the Common Council in its legislative capacity. The resolutions making the grant in question with reference to the improvement of Broadway as a street, were pending before the Common Council when the injunction was issued, and that process, if effectual, would necessarily have interrupted and eventually prevented legislative action. I can find no warrant for this interference, either in any legislative enactment or judical determination. It is a familiar principle, that legislative action is not subject to judicial control. This results from the distinct nature of the duties of the two departments and their coordinateness. Judges are elected or appointed to administer the laws, not to make them, or to interfere in their enactment. They formerly had a voice in their final passage, in the Council of Revision in this State; but their interference was at length deemed inexpedient and improper, and the council was abolished. To interfere during the pendency, and before the passage of a bill in either branch of the Legislative, would be still an ordinance be passed which should be void from a want of jurisdiction, or voidable by reason of a breach of trust, or from any other cause, its further proscution, if by any public officer, would be ministerial, or if by any other person, it would be in his private capacity, and in either case an injunction would be proper and preventive of mischief. In the present case the injunction already issued by a justice of this court has been sufficiently efficacious, notwithstanding the passage of the resolutions; not a rail has been laid, nor a stone or block removed. If it should be said that the consideration of these resolutions by either Board was not prohibited, but that the restraint was only upon their adoption, the difficulty would not be answered. It would then seem that either Board might deliberate upon them, and that a vote might be taken, but that the members were restricted to voting only against them. This would enter Board was not pronoticed, but that the restraint was only upon their adoption, the difficulty would not be answered. It would then seem that either Board might deliberate upon them, and that a vote might be taken, but that the members were restricted to voting only against them. This would be placing any member of the Board who might consider that the resolutions ought to be adopted in an unfortunate predicament. Should he vote for them he would violate his official oath, and encounter a still more fearful danger. It surely cannot require any argument to prove that it is incompetent for any court thus to restrict the action of the members of any legislative body. I have said that the injunction in question had not been sanctioned by any judicial action. I asked the counsel for the plaintiff on the argument if he had met with any case where a court had prevented the legislative action of a manicipal corporation. He did not cite, nor have I seen, any instance of the kind, and I presume none can be found. Proceedings have frequently been had in the courts in England against the municipal corporations there, and some of them have been conducted with great zeal, and with all the influence and power of the crown. The charter of the city of London, was annihilated by the arbitrary decision of the Court of King's Bench, presided over at the time by a judge who, as counsel for the crown, had drawn the information; but there is no case to be found where a court had attempted to prohibit legislative action. Neither has there been an instance of the kind in this State, or, so far as I know, in any State in the Union. It is a strong argument against the claim of any power without statutory authority that it is new. It applies with peculiar force when an attempt is made to extend the common law jurisdiction of any court. In such cases, if our courts can go beyond the uniform practice, there is not the necessary or even probable consequence. The Court of Chancery was no favorite with the common law jurisdiction of his c

icone act upon band are generally revocable, and herefore no to confer any right. Some cases have held that a mere parol license operates, where it was a grant but the principly when any the control of the control of

Wennender, March 28.—Eattle House Plate, value \$00 two mile heats.

J. L. Poel's b. f. Sally Waters, by Glencoe, dam imp. Maria Black, 3 years old.

1 Col. S. M. Hill's ch. f. Clara Minier, by Boston, dam Queen Mary, 3 years old.

2 Cel. T. R. Goldsby's ch. g. by Rough and Ready, out of Sally Riddlesworth, 3 years old.

2 Time, 3:50—3:56.

THUREDAY, March 24.—Purse 3500, two mile heaventrance money added.

Cel. S. M. Hill's ch. g. Wade Hampton, by Boston, out of Margaret Woods, 3 years old.

1 Lewis E. Smith's b. m. Charmer, by Glencoe, out of Bettey Malone, aged.

2 Time, 3:50—3:40.

FRIDAY, March 25.—Match race for \$200, one mile on S. M. Hillise's ch. g. by Belabazzar, dam by Wild Bill, 2 years old.

John Scott's b. c. by Revenue, out of Julia Summers, by Trufile, 2 years old.

SECOND RACE.—Jockay Club purse \$150, mile heats, be three in five.

Col. S. M. Hill's ch. f. Clara Minter.

Supreme Court.—Special Term.

Before Hon. Judge Rocevett.

April. 22.—In the matter of Opening Conal and Widen Watker street.—This case came on for argument on tion of the owners of property who are opposed to contemplated improvement, to dismiss the proceeding The judge, after hearing counsel on both sides, sent case before a referee.